

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

FORMAL COMPLAINT

ORIGINAL

Illinois Commerce Commission
527 East Capitol Avenue
Post Office Box 19280
Springfield, Illinois 62794-9280

For Commission Use Only:

Case 00-0661

Regarding a complaint

by Dave Dunkin a/k/a David C. Dunkin
(Person making the complaint)

against The Peoples Gas Light & Coke Company
(Utility name)

as to Retroactive charges for the period October 31, 1999
through February 28, 2000 and deposit request
(Reason for complaint)

in Chicago Illinois.

CHIEF CLERK'S OFFICE
OCT 6 3 54 PM '00
ILLINOIS COMMERCE COMMISSION

TO THE ILLINOIS COMMERCE COMMISSION, SPRINGFIELD, ILLINOIS:

My mailing address is 830 Tower Road, Winnetka, Illinois 60093

The service address that I am complaining about is 5606 West Fulton Street, Chicago, Illinois
(Account No. 3-5000-0585-4585)

My home telephone number is [847] 784-8007

Between 8:30 a.m. and 5:00 p.m. weekdays I can be reached at [312] 917-2305

The Peoples Gas Light & Coke Company (respondent) is a public utility and is subject to the provisions of
(Full name of utility company)
the Illinois Public Utilities Act.

In the space below, list the specific section of the law, Commission rule(s), or utility tariffs which you think are involved with your complaint.

220 ILCS 5/9-252 and 220 ILCS 35/3

Have you contacted the Consumer Affairs Division of the Illinois Commerce Commission about this complaint? X Yes No

Has your complaint filed with that office been closed? (informal) X Yes No

Please state your complaint briefly. Number each of the paragraphs. Please include any specific time period and dollar amounts involved with your complaint. Use an extra sheet of paper, if needed.

1. The majority of the gas usage at these premises is for heat, derived from a gas-fired boiler. The secondary use is for hot water.
2. In October 1999 we installed a new high-efficiency boiler to heat the building. The cost of this boiler, with installation, was approximately \$18,400. The installer's specifications indicated we should expect gas usage to decrease by approximately 33% to 40% during the winter months, based on the increased efficiency of the boiler.

(See attached sheet.)

Please clearly state what you want the Commission to do in this case.

Hold a hearing on what expected gas usage was from the period October 31, 1999 through February 28, 2000 based on efficiency rating of new boiler, daily temperatures, and cost of gas. Determine approximate amount of deposit, if any.

Date: September 27, 2000

(Month, day, and year)

Complainant's signature [Signature]

If you will be represented by an attorney, please give the attorney's name, address, and telephone number.

David C. Dunkin, Esq.
180 N. LaSalle Street - Suite 3010
Chicago, Illinois 60601
312-368-0091

You need to file the original and three copies of this form with the Commission and also provide the Commission one copy for each utility complained about (referred to as respondents).

VERIFICATION

A notary public must watch you fill out this part of the form.

David Dunkin a/k/a

I, David C. Dunkin, first being duly sworn, say that I have read the above petition and know what it says. The contents of this petition are true to the best of my knowledge.

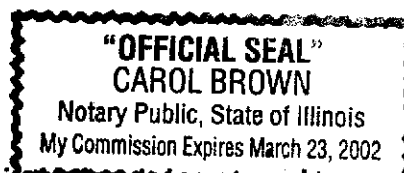
[Signature]
(Signature)

Subscribed and sworn/affirmed to before me this 5th day of October, 2000

Carol Brown
Notary Public, Illinois

NOTE:

Failure to answer all of the questions on this form may result in the form being returned to you without processing. If you have questions, please call the counselor in the Consumer Affairs Division that handled your informal complaint.



3. At some point after December 1, 1999, we noticed that the meter installed by Peoples Gas Light and Coke Company (Meter Number P1685154) was not registering properly. At some point after February 1, 2000, we noticed the same meter had ceased to operate altogether. After repeated phone calls and requests, the utility agreed to investigate.

4. On February 28, 2000, the utility removed the old meter and installed a new meter (Meter Number P1919467). Thereafter, the utility apparently sent the old meter to "the shop" for testing where, in fact, it was determined that the old meter had ceased to function.

5. The utility is now attempting to retroactively bill for the 120 day period from October 31, 1999 through February 28, 2000.

6. We believe the charges levied by the utility for this time period are excessive and egregious and do not accurately measure the actual amount of usage for the period in question, based on the efficiency rating of the new boiler, the daily temperature for the period in question, and the cost of gas.

7. The utility has not provided any methodology or worksheet explaining their calculations, despite repeated requests. Since the utility's equipment was defective, a more detailed investigation should have been conducted, including an inspection of the premises and our new equipment to more accurately estimate what the actual usage was.

8. At the same time, the utility requested a deposit. However, we believe this request is unfounded, as the gas bills had been paid up to the point that the old meter ceased to function. Also, the calculation for the deposit is specious, as it was based on historical usage rather than actual usage which could have been accurately determined had the utility's equipment not been defective.